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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	
)	3:05-cr-00108-02 (JWS)
Plaintiff,)	
)	<u>PROPOSED JURY INSTRUCTIONS</u>
v.)	<u>OF THE UNITED STATES AND SPECIAL</u>
)	<u>VERDICT FORMS</u>
SHANNON RAINEY,)	
)	
Defendant.)	
_____)	

The United States submits the following proposed jury instructions for this case. Unless otherwise indicated by reference to additional or separate authorities, the United States relies upon the supporting authorities cited in the source from which the specified instructions have been drawn.

Manual of Model Criminal Jury Instruction for the Ninth Circuit, 2003 Edition, with updates as noted

Preliminary Instructions

- 1.1 Duty of Jury
- 1.2 The Charge - Presumption of Innocence
- 1.3 What is Not Evidence
- 1.4 What is Evidence
- 1.5 Evidence for Limited Purpose
- 1.6 Direct and Circumstantial Evidence
- 1.7 Ruling of Objections
- 1.8 Credibility of Witnesses
- 1.9 Conduct of the Jury
- 1.10 No Transcript Available to Jury
- 1.11 Taking Notes
- 1.12 Outline of Trial

Instructions in the Course of Trial

- 2.1 Cautionary Instruction - First Recess
- 2.2 Bench Conference and Recesses
- 2.4 Stipulations of Fact

2.5 Judicial Notice

2.10 Other Crimes, Wrongs, or Acts of Defendant

2.13 Disposition of Charge Against Co-Defendant

Instructions at End of Case

3.1 Duties of Jury to Find Facts and Follow Law

3.2 Charge Against Defendant Not Evidence, Presumption
of Innocence, Burden of Proof

3.3 Defendant's Decision not to Testify

3.4 Defendant's Decision to Testify

3.5 Reasonable Doubt - Defined

3.6 What is Evidence

3.7 What is Not Evidence

3.8 Direct and Circumstantial Evidence

3.9 Credibility of Witnesses

3.10 Evidence of Other Acts of Defendants or Acts and
Statements of Others

3.11 Activities Not Charged

3.12 Separate Consideration of Multiple Counts- Single Defendant

Consideration of Particular Evidence

- 4.1 Statements by Defendant
- 4.2 Silence in the Face of Accusation
- 4.3 Other Crimes, Wrongs, or Acts of Defendant
- 4.7 Character of Witness for Truthfulness
- 4.8 Impeachment Evidence- Witness
- 4.10 Testimony of Witness Receiving Benefits
- 4.12 Witness who has Pleaded Guilty
- 4.16 Opinion Evidence, Expert Witness
- 4.17 Summaries Not Received in Evidence
- 4.18 Charts and Summaries in Evidence

Responsibility

- 5.1 Aiding and abetting
- 5.4 Specific Intent - General Intent
- 5.6 Knowingly - Defined

Jury Deliberations

- 7.1 Duty to Deliberate
- 7.2 Consideration of Evidence
- 7.3 Use of Notes

7.4 Jury Consideration of Punishment

7.5 Verdict Form

Specific Offense Instructions

8.16 Conspiracy

8.18 Conspiracy-Knowing of and Association with other Conspirators

8.20 Conspiracy—liability for Substantive Offense

Committed by Co-conspirator

8.120 Financial Transaction to Promote Unlawful Activity

8.121 Laundering Monetary Instruments

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,)	3:05-cr-00108-02 (JWS)
)	
Plaintiff,)	<u>SPECIAL VERDICT</u>
)	
vs.)	COUNT 1-Conspiracy
)	
SHANNON RAINEY,)	
)	
Defendant.)	
)	
)	
_____)	

We, the jury in the above-captioned case, unanimously find the defendant ,Shannon Rainey [not guilty/guilty] _____of conspiracy as charged in Count 1 of the indictment. We unanimously further find beyond a reasonable doubt the object(s) of the conspiracy was/were [Below, mark each statement(s) that accurately encompasses your additional specific factual findings. If you find the defendant “not guilty,” you do not need to make additional specific factual findings]

To distribute or to possess with intent to distribute an undetermined amount of a mixture or substance containing a detectable amount of methamphetamine. _____

To distribute or to possess with intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine. _____

To distribute or to possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine. _____

To distribute or to possess with intent to distribute 5 grams or more of actual methamphetamine. _____

To distribute or to possess with intent to distribute 50 grams or more of actual methamphetamine. _____

To distribute or to possess with intent to distribute an undetermined amount of a mixture or substance containing a detectable amount of cocaine. _____

To distribute or to possess with intent to distribute a mixture or substance containing 500 grams or more of cocaine. _____

To distribute or to possess with intent to distribute a mixture or substance containing 5 kilograms or more of cocaine.

Jury Foreperson

Date

RESPECTFULLY SUBMITTED this day, August 22, 2006, at Anchorage, Alaska.

DEBORAH M. SMITH
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CERTIFICATE OF SERVICE

I declare under penalty of perjury
that a true and correct copy of the
foregoing was sent to the following counsel
of record on August 22, 2006, via:

(X) Electronic Filing Notice

Scott Dattan
2600 Denali Street, Ste. 460
Anchorage, Alaska 99503

S/ Stephan A. Collins